

PART D. —PAYMENT INTO COURT AND CERTIFICATION OF  
PAYMENTS OUT OF COURT

1. Order XXI, Rule 2 (1) provides that where money is paid or a decree is adjusted out of Court the creditor shall certify the payment. Rule 2 (2) that the judgment-debtor may do so: Rule 2 (3) that a payment or adjustment which has not been certified shall not be recognised by the, executing Court.

Payment or adjustment need not be certified.

Rule 2 (3) was omitted by section 36 of the Punjab Relief of Indebtedness Act, so that in the Punjab such certification is not now necessary.

2. No stamp duty shall be levied on an application by a judgment-debtor to deposit money under a decree of Court, and no talbana for the issue of the notice to be given to the decree-holder under Order XXI, Rule 1(2), of the Code of Civil Procedure, should be recovered. The decree-holder should be informed of any payment made by service post-card. The deposit money should be disposed of in accordance with Article 247 of the Civil Account Code, Volume 1, and paragraph 161 of the Punjab Treasury Manual.

Application to deposit decretal amount requires no stamp and no talbana required for notice to decree-holder.

3. Under the "Explanation" to sub-rule (i) of Rule 1, Order XXI, of the First Schedule to the Civil Procedure Code, a judgment-debtor may, if he so desires, pay the decretal amount or any part thereof, into the Court by money order on a form which has been specially approved by the High Court. The form to be used is Indian Money Order form No.L./M.O. 6 prescribed by the Postal authorities and can be obtained from all Post Offices.

Payment by money order or special form.